

EXHIBIT 7

TO THE SUPPLEMENTAL DECLARATION OF MICHELLE M. UMBERGER IN SUPPORT OF SUMMARY JUDGMENT OF UNENFORCEABILITY OF THE PATENTS-IN- SUIT DUE TO INEQUITABLE CONDUCT

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CERTIFIED COPY

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA, a California
corporation,

Plaintiff,

vs.

Case No.
C 03 05569 (JW)

MICRO THERAPEUTICS, INC.,
a Delaware corporation,
and DENDRON GmbH, a German
corporation,

Defendants and Third
Party Plaintiffs,

vs.

BOSTON SCIENTIFIC CORPORATION,
a Delaware corporation, and
TARGET THERAPEUTICS, INC., a
Delaware corporation,

Third Party Defendants.

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DEPOSITION OF THOMAS E. CIOTTI

Thursday, May 26, 2005

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(Exhibits bound separately)

REPORTED BY: THERESA WARD, C.S.R. 9587



GROSSMAN & COTTER

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2 understanding, you can testify to that.

3 THE WITNESS: I think I've already answered that.
4 I think Boston Scientific was in the process of trying to
5 get up to speed on -- on the Target IP portfolio.

6 BY MR. SKILTON:

7 Q Would you agree with me that as of September of
8 1997, you were aware that there were significant problems
9 with the Guglielmi patent portfolio?

10 MR. SCHWILLINSKI: Objection.

11 Instruct the witness not to answer.

12 And the question was vague.

13 MR. SKILTON: A double assault.

14 MR. SCHWILLINSKI: Nothing personal.

15 BY MR. SKILTON:

16 Q Are you aware that Target Therapeutics and Boston
17 Scientific thereafter commenced litigation in Europe
18 against the entity known as "Dendron" with respect to the
19 Guglielmi patent portfolio as it existed in Europe?

20 MR. SCHWILLINSKI: I would object to the extent
21 it mischaracterizes fact.

22 THE WITNESS: Can you read the question back?

23 (The question was read by the Reporter.)

24 THE WITNESS: At some point, I -- I think
25 somebody told me that there had been a -- they had filed

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2 CERTIFICATION

3 I, THERESA WARD, duly authorized to administer
4 oaths pursuant to Section 2093(b) of the California Code of
5 Civil Procedure, do hereby certify that the witness in the
6 foregoing deposition was administered an oath to testify to
7 the truth in the within-entitled cause; that said
8 deposition was taken at the time and place therein stated;
9 that the testimony of said witness was reported by me and
10 thereafter transcribed by me into typewriting; that the
11 foregoing is a full, complete, and true record of said
12 testimony; and that the witness was given an opportunity to
13 read and correct said deposition and to subscribe the same.

14 Should the signature of the witness not be affixed
15 to the deposition, the witness shall not have availed
16 himself/herself of the opportunity to sign, or the
17 signature has been waived.

18 I further certify that I am not of counsel nor
19 attorney for any of the parties in the foregoing deposition
20 and caption named, nor in any way interested in the outcome
21 of the cause named in said caption.

22 DATED: June 6, 2005

23 
24

25 Theresa Ward, C.S.R. 9587